

**REMARKS**

In the present Application, claims 9 - 12 and 14 - 36 were pending. Of the pending claims, 12, 14 and 23 - 31 were withdrawn from consideration.

In the present Office Action, the Examiner allowed claims 15 - 19 and 32 - 36 and indicated that claims 11 and 22 are allowable, although objected to. The Examiner rejected claims 9, 10, 20, and 21.

This paper amends claim 9, cancels claims 12, 14, 23 - 31, and adds claims 37 - 41. Amended claim 9, allowed claim 15, and newly added claim 37 are the independent claims.

On March 13, 2006, Applicants' undersigned attorney, Brian M. Dugan, telephoned the Examiner and proposed amending claim 9 to state that the substrate is vertically oriented. The prior art of record was not discussed. The Examiner stated that he would not enter such an amendment as the present office action is a final office action. No agreement was reached and no other matters were discussed.

**The Examiner's indication that claims 15 - 19 and 32 - 36 are allowed.**

In the present Office Action, the Examiner has indicated that claims 15 - 19 and 32 - 36 are allowed. Applicants appreciate the Examiner's indication.

**The Examiner's indication that claims 11 and 22 are allowable**

The Examiner has indicated that claims 11 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening

claims. New claims 37 and 38 represent claims 11 and 22, respectively, so written.

**Rejection of claims in view of Mittag et al. and Gileta, and Applicants' remarks in regard to amendment of claim 9**

---

Claims 9, 10, 20, and 21 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,045,120 (Mittag et al.). Claims 9 and 10 have also been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,205,303 (Gileta). With this paper, Applicants have amended independent claim 9 with limitations that, Applicants submit, neither Mittag et al. nor Gileta teach or suggest. Applicants further submit that Mittag et al. and Gileta fail to teach or suggest other limitations recited in amended claim 9.

Amended independent claim 9 includes a limitation of a "vertically oriented substrate." (See amended claim 9.) Applicants submit that neither Mittag et al. nor Gileta teach or suggest such a limitation. In contrast, Mittag et al. appear to show and describe "workpieces", not a "vertically oriented substrate." (Mittag et al., FIGS. 1 - 3 and column 2, line 46.) Similarly, Applicants submit that Gileta does not teach or suggest at least the above-cited limitations of amended claim 9.

In addition, Applicants assert that Mittag et al. and Gileta do not teach or suggest additional limitations of amended independent claim 9. For example, amended claim 9 recites an apparatus that

... is operatively coupled to the second portion such that the vertically oriented substrate may be passed directly from the first portion to the second portion while continuing to be submerged in the tank of fluid without being removed from the tank...

Amended claim 9, emphasis added. Applicants assert that neither Mittag et al. nor Gileta teach or suggest at least the underlined limitations.

Applicants note that, in addition to claim 10, all remaining rejected claims depend from amended claim 9. Thus, Applicants submit that all rejected claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration and withdrawal of the 35 U.S.C. § 102(b) rejection.

Accordingly, the current amendment is believed to place the present application in condition for allowance, and Applicants respectfully request entry of this amendment and allowance of the present application. Please charge any additional claim fees that are required to Deposit Account No. 04-1696. No other fees are believed necessary, however, if any additional fees are required, please charge Deposit Account No. 04-1696.

Respectfully Submitted,



Brian M. Dugan, Esq.  
Registration No. 41,720  
Dugan & Dugan, PC  
Attorneys for Applicants  
(914) 332-9081

Dated: March 15, 2006  
Tarrytown, New York